

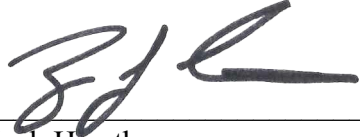
ANTHONY DEON JOHNSON	§	
VS.	§	CIVIL ACTION NO. 1:13-CV-312
DIRECTOR, TDCJ-CID	§	

Title 28 U.S.C. § 2254(a) allows a district court to “entertain an application for a writ of habeas corpus in behalf of a person in custody pursuant to the judgment of a State court only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2254(a). A state prisoner is required to file his federal petition for writ of habeas corpus in either the district where the prisoner is incarcerated or the district where the prisoner was convicted and sentenced. 28 U.S.C. § 2241(d). Although both district courts have jurisdiction to entertain the application, “[t]he district court for the district wherein such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination.” *Id.*

Petitioner was convicted and sentenced in Montgomery County, Texas, which is located in the Southern District of Texas. This court has jurisdiction to entertain the petition because petitioner is currently confined at the Gist State Jail in Jefferson County. The court has considered the circumstances and has determined that the interests of justice would be served by transferring this petition to the district where petitioner was convicted and sentenced. It is accordingly

**ORDERED** that this petition for writ of habeas corpus is **TRANSFERRED** to the Houston Division of the United States District Court for the Southern District of Texas.

SIGNED this 22nd day of May, 2013.



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Zack Hawthorn  
United States Magistrate Judge